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| pplicant/Patent Owner: Daniel K. HILTGEN et al.  |   |
| 09/852070 Filed/Issue  | Date: May 9, 2001   |
| METHOD, SYSTEM, AND PROGRAM FOR PROVIDING  | PATCH EXPRESSIONS USED III  |
| SUN MICROSYSTEMS, INC  | Corporation corporation, permetship, university, government agency, etc.) |
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| an assignee of less than the entire right, title and interest.  The extent (by percentage) of its ownership interest is  | <u> </u>  |
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| The undersigned (whose the is supplied below) is authorized to unit  | Nov. 1, 2004  Date  |
| Keyin J. Canning   | 617-227-7400  |
| Printed or Typed Name  | Telephone Number  |
| Attorney for Applicants Tritle   |   |
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|  | 25 of the form to the (703) 872   |
| i hereby certify that this correspondence is being tacsimile transmitted to the Pi<br>930B at MS Amandment, Commissioner for Patents, P.O. Box,1450, Alexandri,<br>Dated November 1, 2004. Signature.                              | a, VA 22313-1450, on the date shown below.  (Kevin J. Canning)            |

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| Under the Paperwork Reduction Act of 1995, no persons are required to respond to a coherent of instituting TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING SMQ-122/P6281  In re Application of: Daniel K. HILTGEN et al  Application No. 09/852070-Conf. #3533  Filed: May 9, 2001  METHOD, SYSTEM, AND PROGRAM FOR PROVIDING PATCH EXPRESSIONS USED IN DETERMINING WHETHER TO INSTALL A PATCH  The owner SUN MICROSYSTEMS, INC.   |                |
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Docket Number (Optional) TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING SMQ-122/P6281 REJECTION OVER A PENDING "REFERENCE" APPLICATION Daniel K. HILTGEN et al. in re Application of: 09/852070-Conf. #3533 Application No: May 9, 2001 Filed: METHOD, SYSTEM, AND PROGRAM FOR PROVIDING PATCH EXPRESSIONS USED IN DETERMINING WHETHER TO INSTALL A PATCH For: SUN MICROSYSTEMS, INC. percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/851,923 filed on May 9, 2001 passint granted on pertaining renarrance application may as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent on the pending reference application. The owner be shortened by any terminal discourser filed prior to the grant of any patent on the pending reference application. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application, and the pending reference application, and the pending reference application, and the patent: granted on the pending reference application, as the event that any such found invalid by a court of competent jurisdiction, is statutority disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has an claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate For submissions on behalf of a business/organization (e.g., corporation, parmership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization I hereby declare that as statements made herein of my own knowledge are true and that all statements made on information and belief are betieved to be true, and further that these statements were made with the knowledge that willful false statements and the tike so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney or agent of record. Reg No. Ken J L Nov. 1, 2004 Date Kevin J. Canning Typed of printed name 617-227-7400 Telephone Number Terminal disclaimer fee under 37 CFR 1 20(d) is included "Statement under 37 CFR \$ 73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/98 may be used for making this statement. See MPEP § 324. t hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, on the date shown pelow

Signature

Dated, November 1, 2004

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(Kevin J. Canning)